D.T 52-95 96

G. R. S. IX-5]

Previous references.

1892-93
~~192~~ .
(Land Rev)

File No. 166-92

Serial Nos. 1-24.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-24

Major ~~Part B~~ for July 1901.

SUBJECT.

Petition of Subba Bhatta and others Byrendevaru grama and Kallagudde grama Koppa Taluk regarding their takarar to the grant of land to Shri Mayes of S. No 112 of Byrendevaru village.

Indexed

Countermarked

WD 2233—GPB—20,000—14-6-20

Sarolabetan of the Mooijin
dan' Menso explaining the map
~~Application~~ of S. Nos. 112 and 172
prepared by him

Portion marked n in red ink is the
temple

Portion marked 9 in red ink is the Honda

Portion marked 2 – 2 in red ink is the
pathway to the temple. It
is used for drawing the car

The Villagers desire to have the land enclosed within marks 4, 5, 6, 7, 8 in red ink, for the common use of the temple

This measures 22 acres and 10 guntas in all, of which 18 acres and 9 guntas belong to S. No. 172 and 4 acres and 1 gunta to S. No. 112.

What Mr. Hay points out as the land wanted by him is as follows: —

Its boundary line is marked in green ink and indicated by the red ink figures 4, 9, 10, 11, 12, 13, 14, 15 and 7. He says that the land (to the west of this line) should be given to him.

The boundary between Nos: 112 & 172 is the black ink line of which the red ink figures 4 and 7 are the extremities.

Mr Hay admits having pointed

The temple is held in reverence locally. ~~Every year~~ Every year a car festival is said to take place when a large number of people gather. The Honda is a necessary part of the temple and a right of way alone between it & the temple does not seem to be asked for by the people – Considering the local opinion I think it best to separate the portion marked 4 5. 6. 7. & 8 into a separate number & reserve it for the purposes of temple. The rest of 112 maybe given to Mr Hay if he agrees to take it under coffee tenure.

Dy Collector and J

Dc 20 4 11/5/26
12-5-9 [illegible] 95

ont the Spot indicated by the green ink line; but he now says that the piece of land indicated thereby is not required and that as applied for by him at first S. No. 112 A should be given to him for coffee cultivation. A memo to this effect executed by him is herein endorsed.

A.S.
2/5/96

Translation of Kadur Distt
Surveyor's report No: 66 dated
24. 11. 98 to the Dy: Commr:

With reference to order No: 12
dated 12.8.98 directing me to
inspect & report upon the cause
of difference of 3a & 33g in S. No: 112
(by measuring S. nos: 111-172-149 & 217
which adjoin the said S. no 112) of
Byredevarru village in Koppa
Taluk which according to the
village accounts is said to be
6a & 3g but reported by the Taluk
mojinidar after actual mea-
surement with reference to
the village map to be 34a & 10g, I
proceeded to the spot and
inspected the same - I found
some discrepancies on seeing
the Bandh Stones standing on
the spot - The Bandhs on the
land did not agree with those

marked in the village map
and in most of the cases the
marks noted in the map
could not be found on the
spot. Hence I was obliged to
measure the limits of Byrapedevu
village with reference to the
existing marks as I was doubt-
ful of finding out the mis-
take if I measured only the
numbers specified in the order.
Accordingly having searched for
the boundaries as far as it was
necessary I measured the land
plotted it out & compared the
same with the village map.
I found the village map to be
incorrect as during the ori-
ginal survey, some of the
lands of the village seemed to
have been by mistake
surveyed into the adjoining
three villages of Kallugudda,
Heggana & Hulgardi and
the maps seem to have been
prepared accordingly. From
this reason there may be a
net

nett deficit of 350 odd acres
in the present total area of
Byredevaru village - the present
discrepancies in the area & the
boundaries of S. no: 112 are due to
the mistake in the village map.
From local enquiries it has been
ascertained that the boundaries
of S. no: 112 of Byredevaru village
as pointed out in the village map
differ from those indicated on
the spot & vice versa -
Coffee jungle bearing S. no: 112
is known as Durga devate
Hadya or Putrakameshti Hadya
on going round the boundaries
of the Hadya known as above
to see how its boundaries are
situated it was found that
the number was formed during
the survey according to the
said boundaries - In accordance
with the Existing state of affairs
I prepared a map shewing the
limits of S. no: 112 & pointed it out
& the spot to Mr. Bidie -
Mr. Bidie states that he will
have no objection if the lands
are

are given over to him as indicated.

His letter & the map are herein enclosed for perusal - If the boundary and the Extent of S. No: 112 are fixed on correct measurement it will not only agree with the Extent mentioned in the Village accounts but will also tend to the settlement of the dispute under reference as our Bidie has signified his consent thereto. I submit for perusal a plot as per recent measurements, the old map of Byredevan Village as sketch map showing the required alterations To show that the original map of Byredevan Village is incorrect I have already pointed out in my Hills Rec: 60 of 15-11-98 that the existing boundaries of the aforesaid wet & garden lands of the village do not tally with those mentioned in the map - You may be convinced of this from the reply received from the Survey dept. I have also commenced to check the whole taluk map since this mistake has crept in the Village map - On completion of the same the result will be reported & further orders awaited in the matter

CR
13/2/99

Price
Dy 8/9/95
Pro proposals.
8/9/95

Bond should
the deficiency
have been
charged.
The result of
the survey ordered
by the Dy Comr
referred to
para 8 of the
letter must be
awaited. Probably
other landholders
in the vicinity have
been allowed
encroach &
enjoy the encroached
portion rent free
The ext. of the
deficiency & the
cause thereof must
be clearly ascertained
& proceedings taken
accordingly
in this matter
7.9.95

Note

Letter No 935 17/8/95
from the D Comm, Kadiri

There are two points for
Consideration
(1) Should the grant of land
to make up the deficiency
found in S No 112 be sanctioned
before the deficiency or the
error in the survey which is at the bottom
is clearly shown to exist?
The Survey Dept, by the way,
does not admit the existence
of any error (Para 7 of the
D Comr's letter).
Under such circumstances,
the Madras rule (SO No 2/para 3
that in such cases no change
in the recorded areas of fields
that have been surveyed

by the professional depart-ments are permitted except in communication with that Dept" seems to be reasonable & may be followed in this case

(2) Is Govt bound to make up the deficiency, supposing it has been clearly made out?

In the form prescribed for Sales of immoveable property for arrears of revenue there is a special clause (Para 8 of Form No 7 Appendix H to C & R Rules) stating that Govt are not responsible for errors of description or in estimated extent"

No such form is in existence for Sales under Rule XX of the C & R Rules & the only form under Rule XX is for the Separate Claim (Form 2, Appendix D of C & R Rule

which does not refer to the
point now under discussion.
This being so, the insertion of
a clause in the Sale notice
regarding the ~~ex cess~~ refund
of the excess of upset price
should any deficiency be
found seems to require
explanation (para 10 of the letter)
The clause itself seems fair
but the analogy in the
case of Sale of arrears
of revenue points the other
way

11/9/20

The S Comm's further
report has been received
The report states that the portions
of S no 112 now found to be
unencumbered within the limits of

the No (viz 28 a - 2 J) has
been measured into the
adjoining ~~[illegible]~~ Survey
Nos & Khal- similarly the
Lands wh. Sh^d properly belong
to the Bhairedevarn village
have been measured into
the adjoining Villages of
Kallenpadu Hegsarn & Hulsandr.

The Dy comm^r recommends
Khal- the "kadya" locally
known as Putrakameshti-kadya
& said to be identical with Sho 112
as given in the village accounts. Sh^d
be made over to 17^v Sillakt
& Khal- the necessary corrections
Sh^d be made in the maps &
Village accounts
In his / its view letter the Dy
Comm^r requested the sanction of Sal^t
to condone the encroachment
17^v Sillakt (a M^r Birdie hisajee) on
Sho 172. It is not clear of the
limits of the "kadya" include this
encroached portion of Sho 172
The encroachment will perhaps be
in connection to the temple
Before the Dy Comm^r's proposals

are sanctioned, it will perhaps
be desirable to refer them
for the Surveyor's opinion.
Koppa was settled in 1879-80
& must have been measured
one or two years before this

14/2/99

Papers found in P. F. No 52695

1. Petn No. 530 dt 11/9/1900 from Criminal powers to Munsif of Hassan.

1 Petn No 5918 dt 23/9/1900 from Tarikere Girijappa

Petn 546 dt 19/9/00 from Koramma & Nanjundaly Channarayapatna Taluk

Petn No 270 dt 1/8/00 from Kallani Punnaiah of Mulbagal Kolar.

Kadur Dep Court's No 212 dated 26.9.1900.

What have these papers (give a list of the papers) to do with this Why are they bundled up like this Give file where everybody are arranged

26.1.01

Explan put up 23/2/01

3/11/19

Submitted.

The papers found in P.T. No. 52 of 95-96 were received in camp at Hassan and no orders were passed thereon while on tour. The tour having come to a close on the 19th of October last, all the papers, then pending orders, were delivered over by me to the office for submission to the Assistant Commissioner in the usual course.

Papers with orders passed may have been received, but none pending orders, so far as I can remember. W.G.

The undersigned begs to state that there has been no mistake on his part as he did not submit the papers for orders.

He is further unable to explain how the mistake occured.

Bangalore
23.2.01.

C. Ramaiya
Clerk, Petn. Br.

Hd clerk.

Please find out how the mistake occd. Either were the papers

mixed up here or in camp. Please
see your registers. Was a list of
the papers sent to camp along
with the papers.

23/2/07

Record Keeper.
The up the papers refd to
23-2-01

Q7 52 of 95 - w/petitions

Ltr
23/2/01

Sir

On the 18th October 1900 a packet of papers was submitted to the Standerton camp including the file (Q7 1st 52 of 95.) & the petitions referred to, for orders with which the file in question was rec'd in Office on the 24th October with a note of submission to the First Journaller - The entry in the Submission Book made by the English Record Clerk shews that the file was submitted from Office to the First Journaller on the 25th idem, 24th being a holiday. The petitions we should have therefore been mixed up in camp; for if they had been received seperately there was no possibility of their going into a file with which they had no connection whatever.

I am not satisfied that proper scrutiny was exercised in camp or here. I hope that more care will be exercised in the future.

26/2/07

Ltr
Mill
26/2/07

To Record Keeper
Signature of Mr Examiner
Ends file when entering it in
the Submission Book
26/2/07

Note for the Secretary re the 3 points specified in the draft

Point 1. The holder of Sno 112 was enjoying more than his actual extent by encroaching on Sno 172 (vide para 6 of the Dy Comr's letter of 13/8/98)

Please redraft an order noticing these points & saying that notwithstanding those defects, the action is approved for reasons given by you & submit to DC for approval. 28/6

Point 2 I am afraid the encroachment was not noticed in the last-go (of 7/2/97) by oversight. I did not then deal with these papers.

Point 3 So long ago as 1898, the Dy Comr had brought to

the notice of Govt the encroachment of the holder of Sno 112, on Sno 172 and the request of the holder that the encroached portion might be confirmed to him (vide paras 6 & 9 of Dy Com's letter of 13/8/98) No doubt, in para 11 of the same letter the Dy Com suggested that the deficiency should be made good out of Sno 111 but this has to be read with para 9

The encroached portion having been already granted & planted, it would be harsh on the part of Govt to evict the holder at this distance of time

Sno 172 is subject to a rent of Rs 19/5/0 per annum vide para 5 of Dy Com's letter of 4/11/95

LR 166-92-1

Proceedings of the Govt of Mysore

Read again:-

Government Proceedings No 5862-3 P.F. 52 of 95 dated 7th February 1901, Sanctioning the proposal of the Superintendent, Mysore Revenue Survey, to appropriate from the Govt: unassessed waste land bearing S. No 111, the extent of land required to make S. No. 112 of the described extent

holder of S.N. 112.

1. Was the ~~ryot~~ enjoying more than the actual extent thereof?
2. Last S.O. (7 Feb 1901) required deficiency to be made good out of 111 & had been reported (Aug 98) that a portion of 172 had been encroached upon. Why was not this noticed in the last S.D.? Is the survey supt right in taking 172 also into Cons? now

a clear note on these matters should be put up for orders—

12/6/1901

and to grant the
addition to Mr
Gillatt, the Successor
in title of Messrs
Brown and Hay.

Read :-

Letter no: 805 of 13th
May. 1901. from the
Superintendent Revenue
Survey reporting that
as Mr: Gillatt has al-
ready included 12 acres
and 4 guntas from S.
no: 172 and 2 acres
19 guntas from S. no:
111 the extent of land.

that

that has now to be included in S. No: to make up the deficiency is 20 acres 18 guntas.

Order thereon:-

Recorded. Recorded

Draft-

Secretary.

To
The Superintendent of Rev: Survey in Mysore.

The Dy Commissioner
Kadur District

D.G.
31/5

(General Serial No. 32.)

1893. (2)

~~No.~~ Camp Regd no: 338/3283

Name of Petitioner. Mrs Stephenson.

Village. St mark's square

Taluk. Bangalore

District. Bangalore

Date of Arzi. 7.6.93

Date of Receipt. 15.6.93.

Date of Disposal.

No. of Enclosures. Two.

P 166-92-2

ABSTRACT.

Claims for a piece of land in the Koppa Taluk held by her deceased husband Mr W. P. Stephenson

Mysore Govt. Central Press Bangalore—7-9-92,—4000

Pet 1670

21-6-93

(3)

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

Camp Regd

The accompanying Petition No. 338/328

dated 7th June 1893 received at the Dewan's Office from Mrs Nisca Stephen

St Marks Square, Bangalo regarding her claims for a

peice of land in the Koppa

taluk held by her deceased husba

is forwarded, together with its two

enclosures, to the Deputy Commr

Kadur District, for a report

of the facts and of his opinion

on the proposal made in the pet

An extract from the Settle-

ment papers should also be

sent up - If the land has been

"reserved", the nature of the

reservation and grounds thereof

should be explained By Order, Are

there any arrears of revenue

outstanding on the land? If so

for what years, and to what

extent. Is the land cultivated

and has it been yielding any

produce? If not, on what term

of Shraya may the land be al-

lowed to be held by Mrs Stepha

Sir.

By Order

Bangalore, 1893 — Chief Secretary.

Camp Mysore 15th June 1893.

Dompt 15/6

LR 166-92-4

Endorsement issued 21/6

No. 3283

27

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
19/21 June 1893

(4)

Endorsement granted to Mrs Nicca Stephenson, St Marks Square Bangalore,

in reply to her Petition Registered No. 338 dated 7th June 1893, regarding ~~Survey No. 112 of Byrgdevarya Village in the Koppa Taluk~~ formerly in the holding of her deceased husband.

Petitioner is informed that her application has been forwarded to the Deputy Commissioner of Kadur for report.

"By Order"

Draft Mde

For Chief Secretary.

S.K

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.

LR 166-92-6

(General Serial No. 30.) 11217

1893 Pet 400

From The Dy: Commissioner Kadur District (5)

To

The Chief Secretary to the Dewan of Mysore.

Dated 22d December 1893
15th January 1894

Despatched 19th

Received

Enclosures No. 4

General No. 384 / No. } 1893/94

Submitting report in the petition of Mrs Nicca Stephenson & Marks Square, Bangalore, regarding certain Sfer Lands once owned by her deceased husband and in the Koppa Taluk:—

Pet Branch
20/1/94

23/1/94

Submitted to the Chief Secretary with reference

LR 24/1 Inform the Dy Commr in reply that the question raised was in respect of Survey No 182 (6 acres 3 guntas) of Byre Village in Koppa Taluk. It was raised in Koppa Auction Letter No 180 dt 30 Dec 93 addressed by the Asst Commr Koppa & Malebete Kudremukh Circle there can be no mistake & the Dy Commr assumed the duties of this office on the 1st inst. It was in reply to this letter that a report was called for & was submitted by the Asst Commr Malebete Kudremukh Circle and forwarded with the Dy Commr's letter under reply. When forming the Assessment on Mrs Stephens petition has Mrs Stephenson no connection with Mrs Stephenson

Drafted 19/1/94

No 384

Kadur District, Dy Comm'rs Office,
Dated Chikmaglur 22d. December 1893
15th January 1894

From,

The Deputy Commissioner,
Kadur District.

To,

The Chief Secretary
to the Dewan of Mysore

Sir,

With reference to Official Memorandum, No. Pat 1670, dated 15th Inst, forwarding for report a petition from Mrs. Nicca Stephenson, St Mark's Square, Bangalore, praying for the grant of certain Coffee lands, once owned by her deceased husband, Mr W. P. Stephenson, in Koppa Taluk, I have the honor to state that, while making necessary inquiries of the land referred to, Mr. Stephenson, the son of the deceased W. P. Stephenson, appeared before me and stated that his mother was mistaken in asking for the land in Koppa Taluk, and that what is actually required is certain Coffee land in Mudigere Taluk, namely, Putta No 330 of 18th December 1879, Hammley Ooloovay in the Hobli of Melbangadi in the Mudigere Taluk. This was also

confirmed by a letter from Mrs. Stephenson herself.

Thereupon I directed the Amildar of Mudigere Taluk to ascertain the land referred to in the old Coffee Patta No 330 (produced by Mrs Stephenson), granted by the then Chief Commissioner in the name of Mr. D. Mappen.

The Amildar reported that the name of the Estate and the boundaries corresponded with a portion of Survey Number 94 of Armané Telgur Village, Mudigere Taluk; that one acre of the said land has been already granted to Mr Danero of Kelgur Estate for building Coolys lines &c; and that the remaining land has been lying waste since the Coffee Settlement. The Sketch Map furnished by the Amildar and attached to the Vernacular records shews that of the 4 blocks mentioned therein, blocks No 1 and 3 do not come within the boundaries of the land as mentioned in the old Coffee Patta, that block No 2 corresponded with the land measuring about 14 acres as mentioned in the said Patta, and that block No 1 is the land already granted to Mr Danero. I submit herewith

× Total acres — 50-39
Kharab —— 8-39
Cultivable — 42-4

extracts of the marginally noted Coffee Settlement Papers, from

Syed.
Phoot Pahami.
Wasul Baki.
Phaisal Patrak.

which you will see that the land in question, together with Nos 106 and 107, stood in the name of one Narayanasami /alleged to be a servant of Mr Meppan/ and that owing to his absence or of others on his or Mr Meppan's behalf, the final settlement was not effected and it remains so now.

I do not think it necessary at this distance of time to investigate the claims of either Narayanasami or of Mr Meppan to the 1¼ acres of land in question, but would recommend all but one acre of No 94 being granted, as a Special Case, to Mr Stephenson on the following terms:-

The 50 acres comprised in survey No 94 of Arnane Jelgur free without sale or upset price, and at the usual terms, namely-

3 years Free,
2 Years Half,

From 6th and succeeding years full assessment at Rs 1-8-0 per acre, under Rule 11 published in Appendix E attached to the Land Revenue Rules.

I would recommend this on the following grounds:-

1). The amount of enterprise brought into this part of the Country by the

late Mr. Stephenson and the amount of revenue derived from the same.

(2). The length of time this land has lain waste and the unlikelihood of any one else taking it up for cultivation owing to the small extent, but which would be most convenient to the present Mr. J. Stephenson, who is managing the Estate adjoining the land.

(3). The exigent circumstances in which the present petitioner Mrs. Nicca Stephenson is left, and her total inability to pay the upset price of Rs 10 per acre and amounting to Rs 500/-

The enclosures received with the Memorandum under reply are herewith returned, together with the Vernacular papers ending with the Mudugere Amil's No 420 dated 15th November 1893, and the Coffee Patta alluded to in para 2 of this letter.

I have the honor to be
Sir,
Your most obedient Servant

Stt Sparks
Deputy Commissioner
Kadur District.

J.M.S.

St Marks Square
Bangalore
June 7th 1893

(1)

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. NO. 3283 R
DATE 16-6-93

The Chief Secretary
To the Dewan
Mysore

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
CAMP Mysore
REG'D. NO. 330
DATE 15/6/93.

Dear Sir,

I have the honor to address you on the subject of a letter forwardied to me by Mr C. H. Browne from the Amildar of Koppa, referring to a piece of land held by my husband Mr W. P. Stephenson. I presumme, unless the tax is paid, Government will take the land, so I humbly beg you will place this letter before the Dewan asking him to allow me as a great favor to retain the land, but I amm not as he knows in a position to pay the lapsed tax, as we have been left penniless. I would not venture to ask this favor, but, knowing how much my husband has done for the state in opening out the country, I take the liberty of asking for a favorable reply.
By having this piece of land I might arrange to put my sons on, to open it for coffee.

I am Sir
Yours faithfully
Nina Stephenson

No 188

Koppa Taluk Office
Karikumpur
30th May 1883

C. H. Browne Esq
Vice Chairman
Sakleshpur

I have the honor to inform you that one Chikkategowda has applied for 10 acres for coffee cultivation out of Survey No 112 acres 66.3 of Byre Devarm village formerly of Nandi Handlu which is near Kolgodi Estate.

2 From a reference to the Taluk records I learn that the whole number was once on coffee tenure in the holding of the late Mr W. Stephenson.

In the Survey settlement it has been noted as Coffee Garden but in the Coffee settlement it is shown as "Reserved."

3 As the other lands under the occupancy of the late Mr. W. Stephenson, appear to be under your charge, I request the favor of being informed whether you or any others on behalf of the late Mr Stephenson, are willing to retain the above land fully on coffee tenure from the date of the Coffee settlement retrospectively. If so, you will have to pay the assessment thereof from the year of Coffee settlement viz: 1881-82. Please also let me

me know whether you mean to take up on permanent or temporary assessment. If you are not disposed to have the land, please let me know if any one else would like to have it. I shall feel obliged by your letting me know who & where are the heirs or representatives of the late Mr Stephenson

I have the honor to be

Sir

Your most obdt Servant

(Signed) C Vos Stinstra

Amildar

Kuki Goondah
1 June 93

My dear Mrs Stephenson,

The enclosed letter from the Amildar of the Koppah Taluq reached me last evening, it refers to a piece of jungle once in the holding of your husband, but which it appears has lapsed owing to non payment of tax. A native has applied to Government for 10 acres of it, but from the Amildars letter I judge if you pay up the 13th years tax (that is Rs 12 8 7) you might retain the land on permanent assessment or if you pay Rs 8 5 8 you might hold the land on temporary assessment. I dont for one moment suppose you would care to pay this amount as the land is ~~not~~ certainly not worth the money, except perhaps to someone living close bye, but I think you ought to know about it.

Etc., etc.

Yours sincerely
(Signed) C. H Browne

No 12906 / 1254 — 7

2nd February/94

6

The Deputy Commissioner
Kadur Dist.

(6)

No. 161-92-6

Sir,

In reply to your letter No 384 dated 22-12-93 / 15-1-94 reporting upon the petition of ~~Mrs~~ Mrs Ninka Stephenson praying for the grant of certain Coffee lands once owned by her deceased husband, in Koppa Taluk, I am directed to inform you that the question raised was in respect of Survey No 112 (66 acres 3 guntas) of Byre Devarn village in Koppa Taluk. It was raised in Koppa Amildar's letter No 188 dated 30th/May/93 addressed to Mr C.H. Browne at Solébile. Under such circumstances there can be no mistake of the kind assumed at the outset of ~~the~~ Mrs letter under reply. It was in respect of this land that a report was requested and Government still wish to have it. The Mudgere Taluk land reported upon formerly, ~~was also~~, part of Mr Meppen's patta, and appertains ~~resting~~ connection with Mrs Stephenson. has not been received.

I have &c.

Chief Secretary

Draft letter 2/2/94

LD 166-92-7

(General Serial No. 30.)

1365-3.

8 MAR. 94

Pet 611

1894.

From

The Deputy Commissioner
Kadur District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 6th

Despatched 7th March/94.

Received

Enclosures No. 2 & files

General No. 459.
No.

Reporting further upon the petition of Mrs Stephenson in re the grant of certain coffee lands once owned by her deceased husband in Koppa Taluk.

Petition Branch
8/3/94

Read
8/3/94

Submitted to the Chief Secretary with reference.

8/3

10/3 Extract of the 1st & 2nd paragraphs of this letter will be communicated to Mrs Stephenson for her reply & then for the remark that the land is no longer hers as the case has been decided against her & the land escheated to Government. The case will be referred to the Dy Commr for report when it is received & he will be informed that if however Mrs Stephenson wishes to take it up the land will be allowed to her without sale by auction & subject to payment of the usual upset price and assessment dating from the date on which the Dy Commr receives the Govt orders in the matter. Mrs Stephenson will be informed that she can obtain from the Dy Commr on application the necessary form of application to make as a pauper case with regard to the 3rd & 4th paragraphs of the letter.

time she should
decide upon some
but that date it would
be deposed of to
other arbitrators
under the Code
Rules —

Yours
[illegible]
Respectfully
Upshur —

No 459
Sundry files.
9/08.

Deputy Commissioner's Office
Kadur District
Dated, Chickmagalur, 6th March 94.

No.

From

The Deputy Commissioner
Kadur District

To

The Chief Secretary to the
Government of Mysore
Bangalore.

Sir,

In reply to your letter No. 12906 Rt 1264 of the 16th Ultimo, calling for a report upon the petition of Mrs Stephenson praying for the grant of certain coffee lands once owned by her deceased husband in the Koppa Taluq, I have the honor to state as follows:

Prior to the Survey Settlement the petitioner's husband held under patta No 295 Coffee Khanab Survey —

× Surveyed and

Survey No 29/6 subsequently numbered as 112 and included in the Asli village of Bhaindevaun), measuring 66 acres and 3 guntas in the Nandihaddu village - a hamlet attached to the Asli village of Bhaindevaun.

2. None having appeared for Mr Stephenson at the time of the coffee settlement, final orders were not then passed - but a remark (Shara) was recorded on 7th March 82 to the effect that the settlement of this land should be reserved. Vide Extract from the Phaisal Patrak of the year 1881.

3. After a long correspondence between this office and the petitioner's husband, the latter was asked in 1882 if he would take up this and -

some other lands pending —
necessary. Vide copy of letter No.
706 of the 20th September 1882 herein
enclosed for ready reference.
No reply having been received
thereto, the land still lies as —
Government unassessed waste.

4. The land having been entered in the Village accounts as Government waste has no arrears outstanding. It being an unoccupied No. is used by the villagers for tathing sop/poo etc for purposes connected with agriculture.

5 (1) In 1883-84 when one Ambooga Keswa Chan applied for Sun: No: 112 above referred to, he was replied that it could not be granted to him a it was one of the patta lands of Mr Stephenson.

(2) In 1886-87, one Kooque Kenkate-
jowda referred to in para 6
below, for the first time, —
applied for this land, but
his dankhast was rejected as
he failed to produce the 25%
of the Upset-price.

(3) In 1889-90, one Mr. Hay of the
Kotordi Estate applied for
the whole of Sur. No. 112 in —
question. The villagers —
having objected to its grant
the then Amildar decided
after enquiry that a portion
of the jungle might be left
for the use of the people and
the remainder granted to
Mr. Hay. But Mr. Hay having
refused to take up a portion
of the land, his application
was rejected on 26th Aug: 1890.

(4) In 86-87, one B. Bootte jowda —
applied for this land and
withdrew his dankhast —
at his own instance.

6. In October 1891, Kogue Venkatia
referred to above put in an
application for 10 acres out of
Sur. No. 112 of the Bhairedevanu
village in dispute. During the
course of enquiry as to the
granting of the land applied
for, your Official Memoran-
dum No $\frac{Rt}{1670}$ dated $\frac{15}{21}$ June 1893
calling for a report on Mrs
Nina Stephenson's petition
having been received, the
above dankhast was ordered
to be kept in abeyance and
enquiries were started with
a view to submit the report
called for by you. In the
meanwhile the petitioner's
son, Mr Stephenson, having
appeared before me and
apprised the Undersigned
of his mother's altered views

in

6. In October 1891, Rogue Venkatia referred to above put in an application for 10 acres out of Survey No. 112 of the Bhairedevanu village in dispute. During the course of enquiry as to the granting of the land applied for, your Official Memorandum No Rct/1670 dated 15/21 June 1893 calling for a report on Mrs Hinda Stephenson's petition having been received, the above dastkhast was ordered to be kept in abeyance and enquiries were started with a view to submit the report called for by you. In the meanwhile the petitioner's son, Mr Stephenson, having appeared before me and apprised the Undersigned of his mother's attained views

in

irrespect of the Land actually
required, I thought it best
to report on the Land in —
Inudgeme Valley and which the
Government have stated was
not required.

7. The Land in Koppa Valley
being a Coffee Khandat (and not
a Loppen hetta or Gomal) the
villagers cannot of right claim
any portion of it for Loppers
Khis overruling their talkeen,
the land may be granted to
Mrs. Stephenson with such —
concessions as the Government
may deem fit.

8. As regards the possession
by the late Mr. Stephenson of
a coffee Puttah in the Inudgiem
Valley, already reported upon,
I regret that I am unable

to —

to inform you as to how the
possession came about, as
although I have made many
personal enquiries on the
subject I have been unable
to gain any information—,
and can only conclude that
the land in question may—,
at some time, have been sold
by Mr Ineffen to Mr Stephenson
or exchanged, but regarding
which there are no Govern-
ment records.

The entire correspondence,
ending with the Koppa Amildar's
No 198 dated 9th August/93, bearing
on the subject is
forwarded herewith for re-
ference, if necessary, and Kind
return when no longer required.

I have the honor to be
Sir
Your most obedient Servant

Stt Sparke
Dy Deputy Commissioner
Akolam District

× from A 65.

29/112	66-3	16-3	50			

7-3-82

J. Heikkejohn

True Extract

Deputy Commissioners offie
Kadur District

4

Dated, Chikmagalur, 20th September 1882
No: 706.

From

The Deputy Commissioner
Kadur District

To

W. O. Stephenson Esquire
Bangalore.

Sir,

With reference to your letter of the 12th instant, I have the honor to inform you that Mr A. J. Clifford having presented your power of attorney, Patta No 328 has been transfered to his name.

2. I request the favour of being informed whether you desire to take the Bhyredewaru and Heggar gunglus held under Pattas 295 and 324 on the permanent or temporary assessment. Their assessment on the permanent tenure pending Resurvey is given in the margin

Patta dated 7th August 77 fully assessed due for the current year (if unalienated half rates will be allowed)
Do. 3rd Award 79. Half rates for the current year as it is the 4th.

Survey No	Patta No	Acres	Assessment in fanams & rate.
Bhyredewaru — 29.	295.	66-3	Rs 99 — 0 — 0
Heggar — 100.	324.	21-18	32 — 4 — 0

Hoffice Yadak

3. Survey No 81 (Patta 326) called 42
Harhebilalu in Hosnad of the Mudgere Taluk
contains 41 acres and 22 guntas, and on this
the assessment chargeable for this the 4th year
will come to Rs 31-2-0. An early reply as
to whether you wish to retain this land on
this settlement or not is solicited

4. As regards Pattas 329 and 330, they
do not appear to have been as yet regularly
transferred from Mer D. Mesippen's to your
name. Proper authority from the Pattadar
to effect the transfer should be obtained.

5 As regards the Moondodihadya
jungle, the orders of Government have not
as yet been received on your application
for it which was duly submitted to them.

I have the honor &c.

(signed) G. F. Micklejohn.
Deputy Commr

"Copy"

Attd Sparkes
Asst Deputy Commissioner
Kadur District

Dft LR 156-92-8

No. 338/3283

GOVERNMENT OF MYSORE.

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
May 1894.

Endorsement granted to Mrs Nina Stephenson St. Marks Square, Bangalore.

in reply to her Petition Registered No. 338/3283 dated 7th June 1893.
regarding S. No. 112 in Byre Devaru village, Koppa Taluk,
formerly in the holding of her deceased husband

Petitioner is informed that the land referred to is no longer hers or her late husband's but Government land available to applicants for coffee cultivation. The Deputy Commissioner's report shows that it is much sought for. If however, she wishes to take it up, she will be allowed to do it without sale by auction, and subject to the payment of the usual upset price and assessment details of which she can obtain from the Deputy Commissioner on application. This concession which is made as a special case, will hold good till [redacted] next by which time she should decide in communication with the Deputy Commissioner. After that date it will be disposed of to other applicants under the coffee rules

2 Extract from the Deputy Commissioner's letter No. 459 dated 7th March 1894 is herewith forwarded for information

"By Order"

Draft

(Chief Secretary)

14/5/94
for Chief Secretary.

M. G. C. P., Bangalore—6-3-94.—2000.

Copy

L. 1473 v
Pol 1849 87 12.5=94

Copy forwarded to the Deputy Commissioner, Kadur District for information with reference to his letter No 459 dated 7th March 1894.

The Proceedings are herewith returned

By order
14/5
For Chief Secretary

Dy Supt.

Mes
12/5
Compare
Rand

LR 166-92-9

(General Serial No. 30)

GOVERNMENT OF MYSORE

REVENUE DEPARTMENT
Gl. No. 3795
R. No. 2507
15 NOV. 95
DEWAN'S OFFICE

Per 344

1895.

From

The Assistant Commissioner
Kadur District

To

The Revenue Secretary to the
Government of Mysore

Dated Camp Immadigere 4th November 95.

Despatched 8th November 1895.

Received.

Enclosures No. 2 files V. P.

General No. 334 / 1895-96.
No.

Reporting with reference to Secretary's No. 19473 dated 18th May 1894 that the applicant Mrs. Mica Stephenson failed to acquire survey No. 112 of Blairedevana Village, Kadur Taluq, on payment of the upset price and recommending that Colonel Campbell's order of 26th August 1890 in the matter of Mr. Hay's Darkast for the said land be reversed for reasons now assigned, and that Mr. Hay's second application for the whole survey No. be ordered to be entertained and disposed of under the Coffee Rules subject to the usual conditions and those suggested herein

Per
Ref 2 Enclosures
21/11/1895

nitted

The reference quoted belong to the Pet'n Branch so this may be transferred that Branch.

14/11. To Petn Br 21/11/1895

19/11

Please make an Abstract for file with indent
20/11/11

Attended to.
19/11

Subj. to the Revenue Commissioner
20/11. Rec'd
19.11.95

Ask for
both the surveys
in which the temple
Honda, & the present
way showed are
clearly separately
marked - the portion
which Mr Hayes
wants wherever for

Memorandum
in Shanbhag's letter
dated 31.1.96

41

Deputy Commissioners Office

Kasur District.

Camp Muridke 4th November 1895.

From

The Deputy Commissioner
Kasur District.

To

The Revenue Secretary to the
Government of Punjab.

Sir,

With reference to the correspondence ending with the Chief Secretary's Docket No: 19473-1849 of the 12/15th May 1894 stating that Survey No: 112 measuring 66 acres and 3 gunthas in the Bhaindewara Village, Kasur Taluq, may be disposed of under Coffee Rules if the applicant Mrs. Ricca Stephenson failed to acquire it on payment of upset price amount by the end of August 1894, I have the honor to state that the applicant having failed to acquire the same, the Kasur Assildar was directed to dispose of Kasur Venkate gowda darkhast who had applied for 10 acres out of the said number. In the course of enquiry into his darkhast, application from Mr. F. S. Hay

of

of the Mudi Estate, Koppa Taluk, for the whole survey number was received.

2. From a reference to former papers, it appears that in 1890, when Mr Hay applied for the whole number, the villagers raised an objection on the ground of the land containing certain tanks, &c, used by a large gathering of people during the car festivities celebrated in honor of the Deity at the temple situated in survey No 172 adjoining survey No 112, but that on proper instructions having been given to the objectors on the spot by the Amildar, they agreed that a piece of land to the north of the line marked A. B. on the sketch accompanying the file No I, should be reserved for public purposes, and that the land to the south of that line granted to Mr Hay who consented to obtain it under the Coffee Rules, Vide their statement dated 13th October 1889 in the said file

On 27th February 1890, Mr Hay submitted his former ——— consent by which he said the best part of the jungle in question was excluded and prayed that the whole jungle should be granted to him.

3. Colonel Campbell to whom the papers were submitted passed the following orders on 26th August 1890

"The first agreement was come to after inspection of the land by the Amildar and the formal consent of the applicant Mr Hay. I see no reason to disturb it."

4. During my recent jamabandi at Sallelile I inspected this land on the 29th October last and heard the villagers' objections to giving out the whole of the number to Mr Hay for cultivation. They wish to retain 25 acres of it for timber and water for the temple. Mr Hay objects to this as the deduction of these 25 acres would leave only 41 acres which, he states, would be of no use to him

5. The temple stands on survey

No 172 measuring 131 acres and ~
assigned as Koppinabetta which
contains good timber and water, and
which I consider is quite sufficient
for all the requirements of the temple
6. On survey no 112, I found a
small Katte or bonda, apparently
used for the temple, and am of
opinion that this Katte and a right-
of-way might be left open for the
public use, as I fail to see what
right the temple has over this sur-
vey number which is a coffee Kharab
land.
7. The principal objector is one
Venkate Gowda who has also dar-
khasted for part of this survey
no 112. He is the only influential
native myah on this side and Manag-
er of the said temple. He appears
to have objected to Mr Hayo appli-
cation on the ground that he
would encroach upon the right-
of-way and the tank above alluded
to thereby causing obstruction
to the public. I think that Mr Hay

or the purchaser of the land may be bound over in respect of his non-interference and that the Amildar ordered to have annual inspection made regarding the due observance of the conditions of the Muchalika.

8. I am confident that had Colonel Campbell seen the land before he passed his orders on 26th August 1890, he would at once have been convinced how frivolous the objections now put forward were. As in the face of his orders I am unable to direct the sale of the whole number without the previous sanction of Government and as the villagers had no objection when the land was formerly owned by the late Mr. Stephenson, I recommend that Colonel Campbell's orders of 26th August 1890 be reversed and that the whole survey number

be ordered to be disposed of according to Coffee Rules subject to the usual conditions and those alluded to in para 7 ante.

9. The Vernacular papers are herewith submitted in 2 files for reference and kind return.

I have the honor to be

Sir

Your most obedt Servant

H H Parker

Deputy Commissioner

Kadur District

R 27 V

1895

No. 2521

Name of Petitioner, Subba Shetty & Mary

Village, Sagredevara [illegible] Kallugurra [illegible]

Taluk, Kopa

District Kadur

Date of Arzi, 10-12-95

Date of Receipt, 15-1-96

Date of Disposal,

No. of Enclosure,

Recd 24/1/96 at about 4.45 pm

W.T. Arzi Refd to Govt 24/1/96

Abstract.

Petitioner that for the Kadur Estate dark Chastes for coffee cultivation Survey no. 112 of Sagredevara village - that on coming to know of this they prepared their pass opinion in the matter to the Shekdar who reported to higher authority that the Dy. Comr ordered that he would personally inspect the land - that according to this he visited it during January and left for them - that some of them being ignorant of the above information had been absent from the village - that as the Dy. Comr and Inspr Hanya & Krishna having had some conversation about and told them that he could not decide whether their petition may be approached first with the petition - that daily worship is being conducted in Kadaba Devi Temple which is in Survey no.

24/1 W.A.h

Please note whether any report has been received from the Dy. Comr recommending the application for Inamdar of the Hanya referred to in the petn

4/2/96

The file relating to the subject is put up

Submd

15/2 - This is a protest against the Dy. Comr's recommendation (No 334 of 8.11.95) for the grant of No 112-5 Sagredevara Hanya for coffee cultivation

1st and 2nd days - that annual harvest festivals
be held that large numbers of people could resort
there from different parts - that the moor
within the boundaries should be sold & the money
arising therefrom applied to such purposes - that moreover they have
liberty to depend for furzewood and manure on the said lands
that they learn that the Duke of Cornwall has withdrawn
his representation recommended by Lord Grantham
the Land to Earl Charleton - that they should not
be joined to Earl Charleton that the Earl last
presented for the land 5 or 6 years ago was at their
representation rejected by Col. Campbell - and
that if the land was granted they would be put to
much difficulty and inconvenience - they
that the land may not be granted to the
Earl Charleton &c

RK

Gen. 31.]

Draft

1896

(10)

From

The Rev Secretary

To

The Deputy Commissioner
Kadur Dt

Dated 3?

Despatched 6/2 Feb/96.

Received

General No. 7004

P. F. No. 52-95

Enclosure No Two Ver: files –

With reference to his letter No. 384 dated 4-11-95 reporting with regard to Survey No. 112 of Bhaindevanu village Koppa Taluk, have the honor to request that the Deputy Commissioner will be so good as to furnish a sketch of both Numbers (112 & 172) the Survey in which the temple, 'Honda' Honda, and

the

The proposed way should be clearly and accurately marked - the portion which the villagers want to be reserved for themselves must also be clearly denoted

2. The vernacular papers received with the above are herewith returned for reference and resubmission

By order

Cy ogl

for Revenue Secretary

31/1/96

Vol I
752-95

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition

Registered No. 2521 dated 10-12-95

received at the Dewan's Office from

Subba Bhatta and others of Byrederanna grama and Kallagudi grama, Koppa Taluk, praying that a certain land No 112 of Byrederanna village may not be granted to Mr Stayne for the Kolar Khan estate for coffee cultivation.

is forwarded, together with its ~~enclosure~~, to the Deputy Commissioner of the Kadur District ~~for disposal~~. in continuation of this office No 7004 dated P. D. 52-95 3-2-95, for report along with the matters required to be noticed therein.

By order,

draft

BANGALORE, 19-2-1896

~~Chief~~ Secretary.

19/2/96

M.G.C.P.B.—26-4-95—500

LR 166-92-6 3

Gen. Serial No. 81.]

189 Apl 7903 678

(13)

From The Deputy Commissioner Kadur District.

To

The Secretary to the Government Dewan of Mysore. General and Revenue Departments

Dated 18 April 1896

Despatched 18

Received

Enclosures—No. one & 2 files V.C. sent separately

General No. 715 Eng 95-96.
No.

Reporting on the petition of Subbalakshma and others of Byredevana grama, and Kallu-guddé grama, Koppa Taluq, praying that certain land No. 11 of Byre Devana Village may not be granted to Mr. Hay of the Kadakkan Estate for coffee cultivation.

Subd with reference to the D.C.'s report No 334 dt 8-11-95 & order thereon. Paper (9) with translation & explanatory memo.

The sketch now rec'd also sketch referred to in para 2 of the said report of the D.C. remain as kept at the top.

Cubbon 9-5-96

9-5

rec'd 10.5.96.

R.A. Branch 21/4/96

Submitted

22/4

Put up translation of the Survey memo 32 accompanying the Sketch 3

23/4

Translation put up

C.S.K. 27.4.96

Deputy Commrs Office
Kadur District.

Dated Camp Santaveri 13th
April 1896.

From,

The Dy Commissioner
Kadur District

To,

The Secretary to the
Government of Mysore
General & Revenue Depts

With reference to his docket No 7004 P.T. 52-95 dated 3d February 1896, requesting to forward a sketch of Survey Nos 112 and 172 of Bhaire Devarn village, and No. Pt 52-95 dated 19th idem, forwarding petition received from Subba Bhatta and others, protesting against the grant of Survey No 112 to Mr. Hay of the Kotodi Estate, has the honor to enclose herein a sketch of both the Survey Nos 112 and 172 of the Bhaire Devarn village in which the temple, bunda and the pathway are clearly and accurately shewn, as also the portion which the villagers want to be reserved-

2 Mr. Hay at first asked for the whole of Survey No 112 and 18 acres and 9 guntas out of Survey No 172. He has since withdrawn his request for portion of Survey No 172 and now asks for the whole of Sur

vey

-vey of Survey No 112, undertaking to allow the villagers free access to the tank situated by the right of way as shewn in the map -

3 The pyoto object to the grant of Survey No 112 on account of the temple contained in the adjacent Survey No 172 and the houda attached to it in Survey No 112 and the path leading to it, and also because Soppin is stained from Survey No 112. The villagers ask for an extent of 4 acres 1 gunta out of Survey No 112 to be allotted to the temple, but the undersigned fails to see why this portion should be allotted to them considering that they have the whole of Survey No 172 as Soppin hills.

4 Mr. Hay in the course of conversation objects to any portion of Survey No 112 being marked off for the temple, more especially as it is explained to him that he will have to leave a margin of 50 yards on the bank of the stream. Mr. Hay further stated that when he was on the spot with the Mohzindar and petitioners, they made no objection to his owning the whole of Survey No 112 and that it is only since that the petitioners have put in this claim for 4 acres and 1 gunta out of Survey No 112. The Houda being temple property there can be no objection to the purchaser of Survey No 112—

allowing the public to have free access to the same and will be required to execute a Mechanic's Ka to that effect.

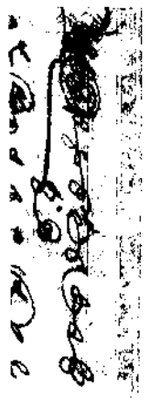
5th Vernacular Correspondence herewith resubmitted for reference and obliging return.

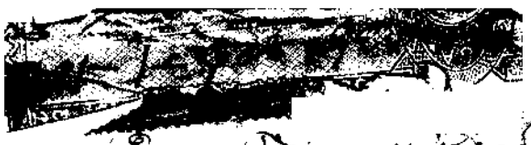
H H Sparks

Dy Commissioner

Kaskaskia Dt.

15-1-96





(21)

Proceedings of the Govt of Mysore

Read :-

(1) Letter no: 334 dated 4th November 1895, from the Deputy Commissioner Kadur District, ~~requesting the order of Govt for~~ forwarding a message to the disposal under the Coffee Rules, of the whole of Survey No: 112 of Bairedevara village Koppa Taluk, in reversal of the order of his predecessor, who, on the 26th august 1890, directed that a portion thereof measuring about 25 acres, be reserved for the use of the public

(2) Petition No: 2521 dated 10th December 1895, from Subba-bhatta and others of Byra-devara and Kallugudde, Koppa Taluk, urging that the temple of Durgâmma in the adjacent land No: 172 is held in esteem, that at the annual car festival, there will be a large gathering there of people of the whole Hobli & other places, that the pond used for the purposes of the temple and

by

by the people is situated in Survey No. 112 applied for by Mr. Hay; that the Petitioners have to obtain leaves &c. for their fields from Nos. 112 & 172; and that on a former occassion the application of Mr. Hay was rejected by the Deputy Commissioner Col. Campbell; and praying that the present application of Mr. Hay for the Entire land may not be granted

(3) Letter No. 715 dated 13th april 1896 from the Dy Commissioner Kadur District, submitting, as required, a Sketch of Survey Nos. 112 and 172, with the temple, Honda, pathway and the portion which the villagers want to be reserved, marked thereon, and stating that Mr. Hay agrees to allow the villagers free access to the tank by the way shewn in the Sketch; that a Muchalika to that effect will be obtained from the purchaser of Survey No. 112;

that

that the portion which the villagers want to be reserved measures 4 acres 1 Guntā; and that as the villagers have the whole of Survey No. 172 for their Soppin-betta there is no reason why the said portion of No. 112 should be allotted for their use

1st 1st 9/21-5-22 Order thereon:—

Enc: 3 Ver: files
1 Coffee Patta
1 Extract.
5

The temple is held in reverence locally. Every year a car festival is said to take place-when, a large number of people gather. The Honda is a necessary part of the temple and a right of way alone between it and the temple does not seem to satisfy the people. Considering the local objection, Govt think it best to separate the portion marked 4, 5, 6, 7 & 8 in the sketch & erect it into a separate number and reserve it for

61

for the purposes of [illegible]
The rest of the Survey No.
112 may be given to Mr.
Hay if he agrees to take
it under Coffee Rule.

21-5-96
Secretary

To The Dy Commr. Kadur Dt. with
remarks & Sketch.

Rec'd
21/5/96

21/5/96

21/5

Subl & Ld with Comrs letter

with a note

7/9/98

68

(15)

101

REVENUE DEPARTMENT
GL. No. 1426
UG 23 1898
No. 79
REVENUE OFFICE

From The Deputy Commr
Kadur District

To The Secretary to Govt
General and Revenue Depts

Dated 13th

Despatched 17th August

Received

General No. 93
No.

Enclosure No. 2 and sketch map

Recommending for reasons set forth the grant of full extent of land out of survey no 111 in the Bhairedevarane village, Hosppa Taluk, to Mr. Gillatt to make up the deficiency found in the survey no 112 sold to Messrs Browne and Hay and purchased by Mr Gillatt from them.

Rest nrs
Rw 22/8/98

Rd on 25/8/98

Genl. Rr.

Please put up D.T. No 52 of 95 & containing the Proc: referred to

P. T. No 52 of 95-96 forwd

AK 26/8/98 RT 26/8/98 RJ 26/10/98

LR 166-92-15

Rd 7/9/98

Rd 7/9/98

Rd 1.9.98

Chikmagalur
13th August 1898

From

69

F. E. C. Carr Esquire
Deputy Commissioner
Kadur District

To

The Secretary to Government
General and Revenue depto

Sir,

With reference to G. O. No 10763 / P.D. 52-95 dated 21st May 1896, directing the disposal under Coffee Rules of survey No 112 of the Bhaire dwara village in the Koppa Taluk after resurveying the portion of 4-1 A G for the purposes of a temple, I have the honor to state that out of the full extent (66-3) A G of the said survey No 112, an area of 62-2 A G was disposed of under the Coffee Rules, excluding 4-1 A G, and Messrs Browne and Hay were the purchasers for Rs 621. The sale was confirmed in January 1897 and the Sagurali Chit granted to them in the same month.

2. Mr Gillatt of the Mallarosai-gudda Estate purchased the land from Messrs Browne and Hay under a registered deed of sale in 1897.

3 In February and again in March 1898 Mr Bidie, who was opening out the jungle for Mr Gillatt, brought to the notice of Mr Weir and myself that he feared that the area

was

was much below 62 acres, and requested that the land might be remeasured in order to ascertain its exact area. I beg to enclose copies of Mr. Gillatt's letters dated 26th March and 2nd of June for the information of Government.

4. A measurer was deputed to resurvey the land, with the result that the actual extent available in survey no 112, inclusive of the piece reserved for the temple ($\frac{A}{4}-\frac{G}{1}$), is found to be $\frac{A}{34}-\frac{G}{10}$, instead of $\frac{A}{66}-\frac{G}{3}$ as the original survey made it out, and if $\frac{A}{4}-\frac{G}{1}$ to be reserved for the temple be excluded there remains only $\frac{A}{30}-\frac{G}{9}$

5. The measurer also reports that there are differences in the boundaries of the number in question between what is shown on the map and as actually existing on the land; and that in order to ascertain where the mistake lies, the surrounding survey nos 111, 172, 149, and 217 will have to be resurveyed.

6. It is further reported that $\frac{A}{6}-\frac{G}{10}$ in the adjoining survey no 172 has also been cleared, pitted and planted by Mr. Bidie, for Mr. Gillatt, through a mistake as to the boundaries of survey no 112.

7. The Amildar requested the Survey Superintendent to send for reference the Watcha Zippano, to which a reply was received stating that they were not available as the land had been measured by theodolite; but that the area when checked was found to be correct (A. G. 66-3).

8. With a view to find out where the mistake lies, I have ordered the District Surveyor to proceed to Bhaineder and village and remeasure the survey nos 111, 172, 149 and 217.

9. Mr. Gillatt in his letter of 2nd June 1898, states that the land turns out to be only 34 acres, though A. G. 62-2 was mentioned in the Saguvalli Chit; that he has unintentionally encroached upon a portion of the adjoining survey no 172 which he prays may be confirmed to him, adding that whatever additional land is necessary to make up the deficiency in the area of no 112, may be taken out of survey no 111, which is a continuation of the same block of jungle as survey no 112. He further states that his reason for asking to make good the deficiency from out of survey nos 172 and 111 is, that the estate may be made into a compact block, and that the present portion is

too

4 too small for an estate.

10 There is a clause at the foot of the sale notification that if any difference be found in the area upon resurvey, the purchaser will be entitled to a refund of the excess of upset price already paid, or liable to pay any additional upset price as the case may be. In this case the land was not especially demarcated, as it was a whole number and the measurements presumed to be accurate, and the purchaser is accordingly entitled to every concession. Mr. Gillatt claims the full extent of land, in preference to any refund.

11 I consider Mr. Gillatts claim most reasonable – he bought the land in good faith believing it had been accurately surveyed, and to his disappointment and great inconvenience viz: not being able to open up the extent of land he wished – he has discovered that it is very little more than half the land he anticipated. I would, therefore, strongly recommend him being given up to his full acreage in Survey No 111, which is gomal and measures A 213 – G 12.

12. Copy of sketch map is enclosed for the information of

Government.

I have the honor to be,

Sir,

Your most obedt. Servant,

H. C. Carr

Deputy Commissioner

Kaduna District

74

Shimoga
26th March 1898

F. W. Carr, Esquire
Deputy Commr, Kadur District
Chikmagalur.

Sir,

The land covered by the Sagwali Chit dated the 13th January 1897, and granted to messrs C. H. Browne and Hay by the Amildar of Hosha, has been transferred to me under a registered deed of sale.

The land referred to forms part of survey no 112 of Bairedevaru village, Hosha Taluk and is 62 acres and 2 guntas in extent. It has however not been surveyed off or separately demarcated by a competent Surveyor, nor has a Title deed been granted as yet; and as I have reason to believe that the boundaries roughly given hitherto are incorrect.

I have the honor to request that the District Surveyor may be deputed to survey off the 62 acres and 2 guntas to which I am entitled, and that a Title deed in "Form A" may be granted me by Government

I desire to add that under the authority of my Saguvali Chit I have planted up a considerable portion of the total area and propose opening out the remainder of the land during the coming monsoon, and that in the event of your being unable to place the services of the District Surveyor at my disposal before the monsoon, I would be much obliged if you would kindly sanction my continuing my planting operations pending the actual survey, I on my part will be responsible that the total area to which I am entitled under my chit, is not exceeded.

I have &c
(Sd) J. S. Gillatt

Mallasandra Estate
2nd June 1898.

To

J. C. Carr, Esquire
Deputy Commr. Kadur Dist

Sir,

In continuation of my previous letter with reference to my land (part of survey No 112 of Bhairedevarane village), I have the honor to send you a true copy of the Saguvali Chit given by the

Vasa

Koppa Amuldar to messrs Browne and Hay and which was handed over by them to me along with the deed of transfer, by the above named gentlemen, on my purchasing the land from them. As the land in question, although stated in the Saguneli Chit to have an area of acres 62.2, turns out on resurvey to contain only (including 4 acres reserved for the Hoque temple) 34 acres. I have the honor to request that you will kindly grant me permission to occupy the portion of the adjoining no 172 on which I have unintentionally encroached as shown by the resurvey, and whatever balance of land may still be necessary to make up the deficiency in the area, as per Saguneli Chit, might be selected from survey no 111, which is a continuation of the same block of jungle as survey no 112. I would beg to point out that my reason for requesting you to grant me enough land to make up the deficiency in area from the previously stated survey no 172 and 111 is in order that the estate may be compact instead of being divided into separate blocks, either of which would be too small for an estate.

I have &c
(Sd) J S Gillatt

Copies

Deputy Commr
Madura

(16)

GOVERNMENT OF MYSORE

11

Pro. of the Govt. of Mysore

Read:-

Letter No. 93 of 13th August 1898 from the Dy. Comr. Kadur District recommending for reasons set forth the grant of full extent of land out of Survey No. 111 in the Bharadevanu village, Koppa Taluk, to Mr. Gillatt to make up the deficiency found in the Survey No. 112 sold to Messrs Browne and Hay and purchased by Mr Gillatt from them.

Order thereon No. 2198. P
P.752-95 9/13.9.98
Cl. Consider it unnecessary to make up the deficiency of land to make up the deficiency before it has been cleared by the result of the Examination ordered by the Dy. Comr. and referred to in para 8 of his letter read above should be reported. Probably other land holders in the Vicinity have been allowed to encroach upon and enjoy the encroached portion illegally. The Existence of the deficiency and the cause thereof should be clearly ascertained before orders can be passed in the matter.

C2. for Secy

(252)

To the Dy. Comr. Kadur Dispt with the Sketch

MK 10/9/98

SR 166-92-17

(17)

Translate the Surveyor's Report (Nos 59 & 59/1)

Endy Dy 9/2/99.

18

Mr Manuk

7/2/99.

Translation put up

Dy 10/2/99.

Subd to 2nd Committee with precedents

Cant Dy 14/2/99.

MK 14.2.99

Rd 7/2 15.2.99

189 9

From The Deputy Commr Madura District.

To The Secretary to Govt General & Revenue Dept

Dated Camp Balehonnur, 25th January

Despatched 3rd ~~February~~ 99.

Received

General No. 347
No.

Enclosure No. ver: Records

Reporting further in connection with the deficiency found in survey no 112 of the Bhaveden ~~re~~ village, Koppa Taluk,

Before finaladers are passed & instrument taken the plaint before the S. Supt. for any remarks or suggestions he may make. His attention must be specially called with numerous discrepancies that are said to exist between the village map and the actual state of boundary marks & other features on land.

Before
Dy 7/2
6.2.99

Rec 7/2

17.2.99

Dy 9/2/99

Submitted.
Send the whole file
Dy 24/2/99

22.2.99

W.F. 2108/98 } R 752/98 relating
Records } to the subject in
7-2-99 } put up.

7-2-99

MK 8/2/99

Camp Balehonnur
25th January 1899.

From

F. E. C. Carr Esquire
Deputy Commissioner
Kadur District

To

The Secretary to Government
General and Revenue Depto

Sir,

With reference to G. O. No 2198 Rev. 52-95 dated 13th September 1898, calling for further report in connection with the deficiency found in survey No 112 of the Bhaire devaru village, Koppa Taluk, I have the honor to state that as noted in para 8 of my letter No 93 dated 13th August 1898, I deputed the District Surveyor to find out where the mistake lay, by remeasuring the neces-sary adjoining lands.

2. The Surveyor has done the work and his report received by me, is enclosed for the information of Government, together with two sketches and plot prepared by him.

3. The Surveyor reports that there are differences in the boundaries of the different numbers between what are shown in the map and those actually existing on the

land

on measurement and after in-
spection of boundaries is found
to measure 69-18-3/4; and there can-
not be a doubt that the Survey
Department intended that survey no
112 should include the whole of this
Hadya. As a matter of fact, how-
ever, the Survey Department have
only demarcated half of this Hadya
measuring only 34 acres odd.

That Mr. Hay in the first instance
on darkhasting for the land, intend-
ed that the whole Hadya should be
included, is borne out by his letter
dated 3rd August 1895. (SW 28)

5. This being the case, I would
recommend (a) that Mr. Gillatt should
be put in possession of the whole
Hadya which makes up the
amount of land shown in his
Saguvali chit and to which he is
entitled; and (b) that the Survey
Department may be asked to
make the necessary corrections in
the accounts and village maps.

6 The Vernacular correspondence is enclosed for reference and favor of return.

I have the honor to be,

Sir,

Your most obedt servant.

D. C. Cameron

Deputy Commissioner,

Hadien District

Inl.

(18)

1899

From

The Secretary to Govt
Genl and Rev. Depts

To The Superintendent
of Rev. Survey in
charge

Dated 24th

Despatched 25th

Received Feb/99.

General No. 5-907 R.
P.F. No. 52-96

Enclosure No.

In forwarding herewith the entire file of correspondence ending with letter No. 34 dated 25th January 1899, from the Dy Comm Kadur Dt reporting further in connection with the deficiency in S. No. 112 of Bhairadevara village in the Koppa Taluk, has the honor to request that he will be so good as to favor Govt with any remarks or suggestions he may wish to make in the matter.

2. The attention of the Survey

Survey Supdt is specially
invited to the numerous
discrepancies that are
said to exist between
the village map and the
actual state of ~~
boundary marks and
their positions on land.

~~for the~~ By order

[illegible]
11.2.99 ~~for~~ Secretary

~~22~~ 22.2.99.

84

LR 166-92-19

(19)

REVENUE DEPARTMENT
Gl. No. 6297
R. 2. 1930
Ref No 394
MYSORE OFFICE

Gen. 30.]

1899

Supt & 2nd Comr also writ Gs
ref & order on s no 17
My. 14/4/99.

7.30 Pm.
14.4.99.

From The Supdt Mysore Red Survey

To The Chief Secretary to the Govt. of Mysore.

Gl & Revenue Departts

Memorial of the Supply Wharemu Mudenuaje re-measured & sanctioned
15.4.99

Dated 8th April 1899

Despatched

Received

Enclosure No. Ver: correspondence

General No. 698
No.

In reply to Docket up 5907 9/24-2-99
RF 52-95

SUBJECT

Requesting order to authorize to have the village of B Kuiedevaru Koppa Taluk re-measured

Rec'd 13/4.

References (to be entered only in the Dewan's Office).

RF 52 gms containing the rept put up

14/4/99

Subd
14.4.99

honor to request that under
the circumstances I may be
authorized to have the village
in question entirely re-
-measured

2. An examination of
the Field Books and adjoin-
-ing Survey Numbers gives
no clue to the error; and in
several Numbers replatted
no mistake could be found.

3 The entire corres-
-pondence received with the above
under reply is herewith re-
-turned.

I have the honor to be
Sir
Your most obed't Servant
D Lynch
Supt Illyria Road
Survey

(20)

Proceedings of the Board of Revenue

Read:

20

Correspondence ending with letter No. 347 dated 3rd February 1899, from the Deputy Commissioner Kadur Dt. reporting that the actual area of S. No. 112 of Bhairadevarahalli village Kopa Taluk, sold to Messrs Brown and Hay under the coffee Rules, is considerably less than the original Survey area, and recommending the grant of a portion of Kowal S. No. 111 of the above village to Mr. Rikhal (the purchaser of the said No. 112 from Messrs Brown and Hay), to make up the deficiency.

1 The succession to title of Messrs Brown & Hay

2. Letter No. 698 dated 8th April 1899, from the Supdt. of Revenue Survey in Mysore, re-

porting

porting with reference to the above, that the examination of the Field Books and the adjoining S.Nos failed to give any clue to the error and requesting sanction to have the whole village re-measured.

(829)

order thereon No. 7595-6 / PR 52-95 dt 22.4.99.

The proposal of the Survey Supdt to have the whole village of Bharadevane re-measured is approved

for Secretary.

18/4/99

To
(1) The Supdt of Rev. Survey in Mysore.

(2) The Dy Comr, Kadur Dt (with records)

ಪತ್ರ ಸಂ-ಸಂಖ್ಯೆ 60-61 ನೆ ದಿನಾಂಕ 24-4-99 ರಂದು ಅಧೀನ ಅಧಿಕಾರಿಗಳಿಗೆ ಕಳುಹಿಸಲಾಗಿದೆ

General Record

Please put up

C 7529/95

Lr 166-92-21 (91)

REVENUE GEN. No. 2252
SEP 21 1900
No. 2167
DEWAN'S OFFICE

1900

All
22/9/00

From The Supt Bryant
Rev. Survey

To

THE SECRETARY TO THE GOVT. OF MYSORE,

Agriculture Dept.

Dated

Despatched 15/9 September 1900

Received

General No. 187
No.

Enclosure No. 1 File

In reply to Order No. 7595-6 dated 22nd Feb 95-96 April 1897.

SUBJECT

Reporting on the correct area of Survey No. 112 of the village of Bhaire Devara Koppa Taluk. —

References
(to be entered only in the Dewan's Office)

File rec'd received 25.9.00 (vide flap)

Sub'd The proposal of the Survey Superintendent in para 2 is in accordance with the recommendation of the Dep'y Commissioner as contained in para 12 of his letter dy 13th August 1898 (Serial No 15) I may both recommend that the deficiency of 3 acres 2 Gunthas be remitted.

Mr 10-10-00

in S. No 112 may be made good from unassessed S. No 111. The office file is in the file.

24/10/00

Sub'd to the 1st in 1st Councillor

22.10.00
25/10

The suggestion of the S. Superintendent in accordance with that of the Dep'y Com'r and the Director of Land Records and Agriculture should be adopted. This would mean the remission of Rs 3 in connection with the land* measurement and the result for the information of Government.

* Situated to the North-East of the village described at page 11 of the letter from the Director of Land Records and Agriculture

29.1.01

Ch
2.10.00
Rs 99/10.

No 187/91

Survey Superintendent's Office
Bangalore 15th September 1900.

To

The Secretary to the
Government of Mysore
Gen & Rev Depts —

Sir,

With reference to Government Proceedings — No 7595-6 / Rev 752-95 dated 22nd April 1899 sanctioning the re-measurement of the village of Bhairedevaru, Koppa Taluk, I have the honor to report that the re-measurement has not been completed owing to the Measurer having

having fallen ill. It will
however be completed next
season but, in the mean-
time, enough has been as-
-certained with reference
to Survey No 112, referred
for enquiry in Secretarys-
letter No $\frac{5907}{P.F.52.95}$ dated 24th
February 1899, to admit of
the necessary report

2. The true area of Survey
No 112 has been ascertained
to be 31 acres 10 guntas. The
cause of the difference is
that a wrong boundary,
at the N.W. corner, was
pointed out to the original
Measurer. As in Govern-

-ment

ment Proceedings No 10163/P.T.52-95
of 21st May 1896, 4 acres and
guntas were directed to be
set apart for temple pond
ic and made into a separate
Survey No, the area avail-
able in Survey number 112
is reduced to only 27 acres
1 gunta and the deficiency
of 39 acres and 2 guntas —
has to be made good from
adjoining Survey No 111, —
unassessed waste, if Govern-
ment is inclined to grant
the prayer of the successor —
the purchaser.

3 The entire File received
with Proceedings No 5907/P.T.52-95 —

dated 24th February 1899
is herewith returned, which
it is requested may be re-
transmitted when the case
has been disposed of for
reference in completing —
the re-Survey

I have the honor to be
Sir,
your most obedient servant
[signature]
Supt Mysore Rev. Survey

(22)

Pro: of the Govt: of Mys.

Read

1. Correspondence ending with letter No. 347 of 3rd Febry 1899 from the Dy Comr Kadur reporting that the actual area of S. No. 112 of Bhairedevara village Koppa taluk enjoyed by Mr. Gillat is considerably less than that recorded in the Survey accounts and recommending the grant of the deficit area from out of S. No. 111.

2. Correspondence ending with Supdt. Sur: Superintendent's letter No. 187 of 20.9.1900 reporting that the remeasurement sanctioned in Govt: Pro: No. 7596-9 of 22.6.99 / P.7.52-95. could not be completed owing to the illness of the measurer but that he has however ascertained that the area of S. No. 112 to be only 3 a 10 g, that he concurs with the Dpty Comr of

of the Dy Comm^r in regard to the grant of land from S. No. 111 to make up the deficiency and that he would submit a further report on the actual state of things as regards the area of S. No. 112 after remeasurement in the next season

Order thereon.

No. 5862-3 / Pet 752-95 dt 10.2.01 7/2/01

The suggestion of the Survey Superintendent which accords with that of the Dy Comm^r is sanctioned and the quantity of the land required to make up S. No. 112 of the described extent may be taken from S. No. 111 and given over to the applicant.

The Sur. Supt^d is requested to complete the re measurement and intimate the result for the information of Govt:-

8/1/07.

C/ off Secretary

To the Dy Comm^r Kadur

The Supt^d of Revenue Survey in Mysore with records.

Ch. 29/1/07 Hamilton.

Fromlamb 4.2.01

Pet N KR 166-92 .23

(23)

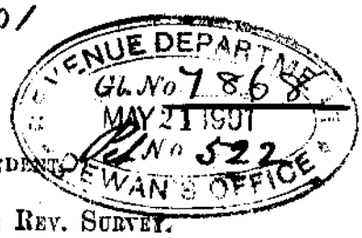
Rec'd 20/5.

@ Z 52-95 Containing enc. as put up

97

No. 31] MYSORE REVENUE SURVEY.

190/



From

THE SUPERINTENDENT,
MYSORE REV. SURVEY.

To

THE SECRETARY TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS.

Dated Ooty 13th May 1901

Despatched 20

Received

General No. 805
No.

Enclosure No. one

Sir,

I have the honor with reference to Govt. Proceedings No. 5862-3 / Pet. 7 52-95 dy 7th February 1901, to forward copy of extract from the Deputy Superintendents letter No. 211 of the 2nd Instant reporting upon the incorrect area of Survey No. 111 of Bhairedevara

All
22-5-01
Submitted.
23.5.01.

Recd
by 28/5/01

Rec'd 15/5
Draft Prop. put up
by 28/5
Clean draft put up
by 31/5

village Koppa Taluk

2. In order to make up the deficiency in Survey No. 112 the course suggested in the Deputy Superintendents Para 4 will have to be adopted.

I have the honor to be
Sir
Your most Obedient Servant

Superintendent
Mysore Rev Survey

No 211

Deputy Superintendents Office

Bangalore 2nd May 1901

To

The Superintendent

Mysore Revenue Survey

Sir,

With reference to your endorsement No 568 (attached) dated 14th February last forwarding Government Proceedings No 5862-3 / Pdt 52-95 dated 9th idem, directing that the quantity of land required to make up the Survey No 112 of the described extent may be taken from Survey No 111 and given to the applicant, I have the honor to report that the resurvey of the Bhiedevanu village as now constituted has been completed.

2. The area of the Survey No 112 according to Settlement record was 66 acres and 3 guntas and it is now found to be only 31 acres and 2 guntas.

3. The deficiency of 35 acres and guntas has now been ordered to be given to the applicant from the Survey No 111.

4. As the applicant is reported to have already included 12 acres and 4 guntas of land from Survey No 172 and 2 acres and 19 guntas from Survey No 111, or 14 acres and 23 guntas in all into his Coffee Estate (Survey No 112) and planted with Coffee the actual deficiency to be given to him from Survey No 111 will therefore be only 20 acres and 18 guntas.

5 I beg that these particulars may be communicated to the Deputy Commissioner of the Kadur District for giving effect to the Government orders.

6. When this deficiency has been marked off by the Revenue Department from Survey No 111 and included in Survey No 112, the area of Survey No 111 and 172 will have to be corrected in the Survey records. The Deputy Commissioner may therefore be requested to forward the measurement list &c of the portion of Survey No 111 to be included in Survey No 112 for correction.

× × × × × ×

(Sd) D. Appaji Rao
Depty. Superintendent

Extract Copy

Superintendent
Mysore Rev Survey.

8 13.5.1901

No. 166-92-24

Proceedings of the Govt of Mysore.

Read correspondence ending with Govt Pro. No. 5862-3 dated 7.2.01 @ Rs. 52795 sanctioning the proposal of the Supdt of Revenue Survey in Mysore to grant to Mr Gillott the Successor in title of Messrs Brown and Hay, the required extent of land out of S. No. 111 of Bhairadevarn village Koppa Taluk, to make up the deficiency in S. No. 112 of the said village.

RO 2/7/01 13

7/7/1901

2) Letter No. 805 dated 13th May 1901, from the Survey Supdt. reporting that as Mr Gillot has already included 1¼ acres and 4 gunthas out of

of S. No. 172 and 2 acres 19 guntas out of S. No. 111, the actual extent ~ that has now to be included in the said S No. 112 ~ out of S. No. 111 to make up the deficiency is only ~ 20 acres, and 18 guntas.

order thereon No. 260-1/P.F.52-95 dt. 10.7.01.

It appears from paras 6 and 9 of the Deputy Comrs letter No. 93 dated 13.8.98, that the holder of S. No. 112 had ~ encroached on a portion of S. No. 172 (Soppumbetta) and that he had requested that this portion might be confirmed to him on making up the deficiency. This point was overlooked in proceedings No. 5862-3/Dis.52/95 dated 7.2.01, but is now again brought to notice in the Survey Supdt's letter read above. The proposal of the Survey ~

Supdt

Supdt that the extent of land to which the holder of S.No 112 is entitled should be made up partly of the encroached portion of S.No 172 and partly out of S.No 111 is approved.

7/8/7

for Secretary.

To.

1) The Supdt of Rev. Survey in Mysore.

2) The Deputy Comr Kadur Dt.

honor to request that under
the circumstances I may be
authorized to have the villag
in question entirely re
-measured.

2 An examination of
the Field Books and adjo
-ining Survey Numbers giv
no clue to the error; and
several Numbers re-plot
no mistake could be fou

3 The entire corres
-ence received with the ab
under reply is herewith
-turned.

I have the honor to b
Sir
Your most obedt s
Supt Allyar Red
Surv

No 698

Survey Superintendent's Office
Bangalore 8th April 1899

To
The Secretary to the
Government of Mysore
Rev and Revenue
Department

Sir,

In reply to your Docket
No. 5907 dated 24th February
P.F. 52-95
1899 forwarding letter No 347
dated 25th January 1899 from
the Deputy Commissioner
Kadur reporting on the
deficiency in Survey No 112
of Bhairedevanahalli village
Koppa Taluk and requesting
to favour Government with
any remarks or suggestions
in the matter, I have the
honor